

MINUTES OF THE TOWN BOARD MEETING OF FEBRUARY 23, 2011

PRESENT:	Supervisor	Teresa Dean
	Council	Edward Fairbrother
		Andy Gillette
		Mike Smith
	Attorney	Frederick Ahrens Jr.
	Town Clerk	Linda Cross
ABSENT:	Council	Marcia Hudock

Supervisor Dean called the Town Board meeting to order at 7:00 p.m. and requested those present to participate in the Pledge of Allegiance.

CONCERNS OF THE PEOPLE – None

Supervisor Dean passed out registration forms for the Southern Tier Central 15th Annual Regional Conference and asked the Town Board to make sure their completed registrations are given to the Town Clerk by March 11, 2011.

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of January 26, 2011 as presented. All in favor, except Councilperson Hudock was absent, motion carried.

Councilperson Smith made a motion, seconded by Councilperson Gillette to approve the minutes of February 9, 2011 as presented. All in favor, except Councilperson Hudock was absent, motion carried.

OLD BUSINESS

Williams Honda Special Use Permit .

Supervisor Dean made a motion, seconded by Councilperson Fairbrother, to adjourn the Williams Honda Special Use Permit public hearing until March 9, 2011 at 4:32 p.m. All in favor, except Councilperson Hudock who was absent, motion carried.

RESOLUTION NO. 101-11 WATER SYSTEMS SUPERVISOR WAGE AMENDED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the Town Board adopted Resolution No. 95-11 approving the salary and probationary period of John Dufresne, Water Systems Supervisor, and

WHEREAS as defined by Chapter 2.36 of the Town of Big Flats Municipal Code the appointment and probationary period is established by the Commissioner of Public Works, and

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RESOLUTION NO. 101-11, WATER SYSTEMS SUPERVISOR WAGE AMENDED
continued

WHEREAS for environmental review purposes the Town Board finds this to be Type II administrative action pursuant to 6NYCRR 617.5(c)(19) and as such, no environmental review is required for a Type II action, now

BE IT THEREFORE RESOLVED the Town Board set wages for John Dufresne, Water Systems Supervisor to be \$51,500 annually effective January 1, 2011, and

FURTHER RESOVLED as advised by the Commissioner of Public Works, Mr. Dufresne is on probationary appointment for 52 weeks effective December 7, 2010.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean NAYS: None
ABSENT: Hudock

NEW BUSINESS

RESOLUTION NO. 102-11
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Gillette
Seconded by: Fairbrother

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for February 2011, vouchers 10752 – 10846 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 58,658.47
HIGHWAY FUND	\$ 53,111.96
SEWER DISTRICT	\$ 109.14
WATER DISTRICT #1	\$ 5,849.77
WATER DISTRICT #2	\$ 6,239.09
WATER DISTRICT #3	\$ 5,843.78
WATER DISTRICT #4	\$ 9,503.08
LIGHTING DISTRICT	\$ 619.00
TRUST & AGENCY	\$ 296.67

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean NAYS: None
ABSENT: Hudock

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RESOLUTION NO. 103-11
VOID CHECK APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS a memorandum was received from the Bookkeeper, dated February 16, 2011 requesting authorization to void a specific check, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to void check number 9354 payable to Gene Herber for \$75.00 for return of newspaper sponsorship and donation (sponsor returned the check to Town).

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean NAYS: None
ABSENT: Hudock

RESOLUTION NO. 104-11
BUDGET AMENDMENT APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the Youth Department activities received a \$250 donation from Gap Inc. Foundation for the Youth Department activities, and

WHEREAS an authorization is necessary to amend the 2011 budget, and

WHEREAS for environmental review purposes, this a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the following 2011 budget amendment:

Increase Estimated Revenue	A0510	\$250.00
Increase Gifts & Donations	A2705	\$250.00
Increase Appropriations	A0960	\$250.00
Increase Youths	A7310.0400	\$250.00

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean NAYS: None
ABSENT: Hudock

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RESOLUTION NO. 105-11
MOWING ATTACHMENT PURCHASE APPROVED

Resolution by: Gillette
Seconded by: Fairbrother

WHEREAS the Commissioner of Public Works recognizes the need to purchase a new mower boom and flail head for town mower tractor, and

WHEREAS the purchase of a mower was planned and budgeted by the Town Board for the year 2011, and

WHEREAS a quote from Buffalo Tractor & Implement Co., Inc. has been received for accessories as follows with State Contract # PC62723SB:

Complete ALAMO replacement 20' Boom for a Versa Boom 20' Mower,
(head & subframe not included) \$10,587.00

Complete ALAMO replacement 60" Grass Flail Head
\$10,846.00, and

WHEREAS for environmental review purposes, purchasing is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5(c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to purchase the proposed Alamo Mowing Attachment parts outlined with State Contract #PC62723SB for an amount not to exceed \$21,433.00.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean NAYS: None
ABSENT: Hudock

RESOLUTION NO. 106-11
SPEED LIMIT INVESTIGATION APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Town of Big Flats has received a request from Andrew Avery, Chemung County Commissioner to reduce the speed limit from 55mph to 45mph on County Route 64 between Fisherville Road and the Town of Big Flats/Horseheads municipal line, and

WHEREAS the Town Board does not have the authority to designate a speed zone for this area, and

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RESOLUTION NO. 106-11, SPEED LIMIT INVESTIGATION APPROVED continued

WHEREAS for environmental review purposes, this a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Clerk to request NYSDOT conduct a speed limit investigation between Fisherville Road and the Town of Big Flats/Horseheads municipal line on County Route 64 to approve a reduction in maximum speed to 45mph.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean NAYS: None
ABSENT: Hudock

RESOLUTION NO. 107-11
PAINTING FOR COMMUNITY CENTER APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the Town Board wishes to maintain the excellent condition of the Community Center facility, and

WHEREAS the interior walls were painted three years ago and are beginning to show some wear, and

WHEREAS the Community Center Director of Recreation has obtained the following four bids to paint (one coat) all walls in the Great Room, Great Room Hallway, Rooms "C" and "D".

John Todzia Contracting	\$3583.00
Crest Painting	\$2550.00
James A. Shope, Painting Contractor	\$2075.00
Pendelton's Painting, LLC	\$1891.00, and

WHEREAS for environmental review purposes administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the hiring of Pendelton's Painting, LLC to perform the painting (one coat) of all walls in the Great Room, Great Room Hallway, Rooms "C" and "D", at a cost not to exceed \$1891.00.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean NAYS: None
ABSENT: Hudock

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CORRESPONDENCE

Mining Permit /NYSDEC. A Mine Permit was received from David L. Bimber, Deputy Regional Permit Administrator of NYSDEC Regional 8 Headquarters, regarding the approval to mine given to Glenn O Hawbaker Inc.

Liquor License/Mt. Fuji Japanese Restaurant. A letter was received from Wen Jun Ren, President of Mt. Fuji Japanese Restaurant, dated February 10, 2011, regarding the request for a liquor license.

Liquor License/Monitag Inc. A letter was received from James Rhodes, President of Monitag Inc., dated February 9, 2011, regarding the renewal of their liquor license.

Annual Report/ Friends of the Chemung River Watershed. A letter was received from Jim Pffiffer, Director of Friends of the Chemung River Watershed, dated January 24, 2011, regarding the 2010 annual report.

Storm Water Team Billing/Chemung County Soil & Water. A letter was received from Mark Watts, District Manager, dated February 11, 2011, regarding July 1, 2010 billing by the Stormwater Team.

Local Donation/Trident. A letter was received from James B. May, New York Sales Manager, on February 16, 2011, notifying their clientele of their donation of \$10,000 to the Meals On Wheels Foundation.

Local Finance Law Amendments/Orrick. A Memorandum was received from Douglas E. Goodfriend and Thomas E. Myers, dated January 15, 2011, regarding the 2010 amendments to the Local Finance Law.

Envizn Services Platform Proposal/Rante. A letter was received from Timothy J. Los, Chairman & Chief Executive Officer, dated February 14, 2011, regarding services to help connect government entities and businesses with one another through an interactive platform.

EXECUTIVE SESSION: Councilperson Fairbrother made a motion, seconded by Councilperson Smith to enter into Executive Session at 7:16 p.m. to discuss litigation and asked the Commissioner of Public Works and the Town Clerk to be present. All in favor, except Councilperson Hudock was absent, motion carried.

The Town Board reconvened the Town Board Meeting of February 23, 2011 at 8:46 p.m.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to adjourn the Town Board meeting at 8:47 p.m. All in favor, except Councilperson Hudock was absent motion carried.

Date approved: _____

Linda J. Cross
Town Clerk